

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Civil No. 05-598 (RHK/AJB)

Petitioner,

v.

**ORDER ON THE PETITION OF THE UNITED
STATES TO DETERMINE THE PRESENT
MENTAL CONDITION OF DEFENDANT**

GIUSEPPE GALLARA,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by
United States Magistrate Judge Arthur J. Boylan dated May 10, 2005 all the files and
records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation (Doc. No. 9) is **ADOPTED**;
2. The Petition to Determine Present Mental Condition of an Imprisoned Person Under 18 U.S.C. § 4245 (Doc. No. 1) is **GRANTED**;
3. Respondent is found to be presently suffering from a mental disease or defect for the treatment of which he is in need of hospitalization in a suitable psychiatric facility;
4. FMC Rochester is deemed a suitable facility at which to treat Respondent's mental illness;

5. Respondent is committed to the custody of the United States Attorney General; and
6. The Attorney General hospitalize Respondent at FMC Rochester for the care and treatment of his mental disease or defect.

Dated: May 13, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge